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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,366	01/23/2004	Geraldine Dowdle	23-0117	8118

7590 05/15/2006

Attn: Jeffrey A. Proehl
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3500 S. First Ave.
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Sioux Falls, SD 57105-5807

EXAMINER

DEBERADINIS, ROBERT L

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,366

Applicant(s)

DOWDLE, GERALDINE

Examiner

Robert DeBeradinis

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/23/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by BISHNER 2,555,630.

Regarding claims 1, 2.

BISHNER discloses a housing defining an interior space, said housing having a top wall; an outlet positioned on said top wall of said housing, said outlet being adapted for coupling with conventional electrical plugs; an energy storage assembly positioned within said housing, said energy storage assembly being electrically coupled to said outlet, said energy storage assembly supplying electrical energy to said outlet (see figure 1). The said housing being self contained including storage device and inverter to generate ac thus having the means to be portable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over GRIFFEY 6,577,098 in view of FUJII 5,616,968.

Regarding claims 1, 2, 8.

GRIFFEY discloses a portable ac power system comprising a portable housing defining an interior space, said portable housing having a top wall; an outlet positioned on side wall of said housing said outlet being adapted for coupling with conventional electrical plugs; an energy storage assembly being electrically coupled to said outlet, said energy storage assembly supplying electrical energy to said outlet.

GRIFFEY does not disclose the energy storage device positioned within the housing.

FUJII teaches an expandable ac power device wherein the energy storage assembly is positioned within the power supply device.

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the portable power supply to position the energy storage assemble within the housing when a smaller battery is suitable to reduce size.

Regarding claim 3.

GRIFFEY in view of FUJII disclose the system of claim 1.

FUJII discloses recharging said energy storage assembly when said energy storage assembly is not in use.

Regarding claim 4.

GRIFFEY in view of FUJII disclose the system of claim 3.

FUJII discloses a recharging assembly within a case and electrical cord assembly for the charger for recharging the energy storage assembly.

Regarding claim 5.

GRIFFY in view of FUJII disclose the system of claim 4.

GRIFFEY teaches a handle member to facilitate transport of said system.

Regarding claim 6.

GRIFFEY in view of FUJII disclose the system of claim 4 further comprising indicators (LED indicator 42).

Regarding claims 9, 10, 11, 12.

GRIFFEY in view of FUJII disclose the system of claim 8.

GRIFFEY in view of FUJII does not teach a pair of charge indicators.

GRIFFEY teaches a charge indicator.

It would have been obvious to one of ordinary skill in the art to modify the system of claim 8 to have more than one indicators to indicate charge if more than one storage device were used. This would be a mere duplication of parts.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over GRIFFEY 6,577,098 in view of FUJII 5,616,968 in further view of KELLY 6,268,077.

Regarding claim 7.

GRIFFY in view of FUJII disclose the system of claim 4.

GRIFFY in view of FUJII does not disclose an energy storage device selected from a group of energy storage devices consisting of battery, capacitor, and fuel cell.

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KELLY teaches energy storage devices consisting of battery, capacitor, and fuel cell.

It would have been obvious to one having ordinary skill in the art at the time of this invention to modify the storage assemble of the mobile ac power supply to select an energy storage device or devices to best satisfy the system capability requirements.

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (703) 872-9306.

RLD

MAY 9, 2006

A handwritten signature in black ink, appearing to read 'Robert L. DeBeradinis', written in a cursive style.

ROBERT L. DEBERADINIS
PRIMARY EXAMINER